HIGH COURT OF UTTRANCHAL AT NAINITAL
Writ Petition No. 1133 (M/S) of 2005

Km. Meenu D/o Sri Kanwar Pal Singh
R/o Village- Libarhedi, P.O and Pargana
Manglaur, Thesil- Roorkee,
District- Haridwar. .....Petitioner

Vs

Registrar
Hemwati Nandan Bahuguna,
Garhwal University, Srinagar,
Garhwal, Uttaranchal. .....Respondent

Sri Rajendra Singh learned counsel for the petitioner.
Sri J.P. Joshi learned counsel for the respondent.

Dated: 22-3-2006

Hon'ble B.S. Verma, J.

Heard Sri Rajendra Singh learned counsel for the petitioner and Sri J. P. Joshi learned counsel for the respondent.

The present writ petition has been filed by the petitioner with a prayer to issue a writ, order or direction in the nature of mandamus commanding the respondent to give the admission to the petitioner in B.Ed course in her preferential college on the basis of the B.Ed. entrance Test 2005 according to her weightage marks 277 putting her name in O.B.C. woman category by giving the benefit of reservation as per rules in Art Group.

The main ground raise in the writ petition by the petitioner that the petitioner has got total weightage marks 227 as showing in the mark sheet issued by the respondent to the petitioner for the B.Ed. The petitioner belongs to the O.B.C. woman category and in the last selected merit in the candidate's category gender and subject has gone to total weightage claimed 261.

Learned counsel for the respondent University Sri J.P. Joshi has submitted that 25 marks were added in the mark sheet of the petitioner and has been reduced on the ground that the certificate furnished by the candidate was not according to the norms provided by the University. In support of his contention counter affidavit

has been filed by the respondent University and a letter dated 22-12-2005 was annexed. Letter was issued by the Vice Chancellor to the petitioner with the averment that the University has considered the petitioner in O.B.C. category, 25 marks which were added in the mark sheet, was reduced, as the certificate furnished by the candidate was not according to the norms provided by the University. Hence after reducing 25 marks the merit of the petitioner is 252 and the last admission was made in the O.B.C. category to the candidate who has obtained 261 marks. The University has also given opportunity to the petitioner, if the petitioner wants to take admission in State quota Session 2005-2006 in the Institution, which under the Self Finance scheme, the candidature of the petitioner shall be considered in the Self Finance institution.

The respondent is directed to consider the admission in Session 2005-2006 in the State quota in the Self Finance Institution.

With the above observation, the writ petition is disposed of finally.

(B.S. Verma,J)

Date: 22-3-2006

M.K.